

APPENDICES

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Appendix I: Information About Cases and Forms

A. Information About Current Status Of Cases, Settings, Etc. (Judges' Letter Designation Before Name)

Information concerning the status of cases, motion settings, pretrial settings, trial settings or other scheduling information is kept by either the courtroom deputy or the judge's secretary. This information may be obtained by calling:

(G)	Chief Judge A. Joe FISH	214/753-2310 (civil) 214/753-2315 (criminal)
(J)	Judge Mary Lou ROBINSON	806/324-2355
(R)	Judge Jerry BUCHMEYER	214/753-2295
(D)	Judge Sidney A. FITZWATER	214/753-2333
(C)	Judge Sam R. CUMMINGS	806/472-7359
(A)	Judge John H. McBRYDE	817/978-7574
(P)	Judge Jorge A. SOLIS	214/753-2346
(Y)	Judge Terry R. MEANS	817/978-4207
(L)	Judge Sam A. LINDSAY	214/753-2365
(K)	Judge Ed KINKEADE	214/753-2720
(M)	Judge Barbara M.G. LYNN	214/753-2420
(N)	Judge David C. GODBEY	214/753-2700
(H)	Senior Judge Barefoot SANDERS	214/753-2375

B. Information About Entry Of Legal Documents And Orders

Each civil case is assigned (1) to a judge by random draw and (2) to a docket clerk who maintains the recording of the documents filed by the Clerk *by the judge's letter designation in the civil action number*. For information about what legal documents have actually been filed and entered on the official docket sheet, call:

<u>Dallas Division</u>		<u>Abilene Division</u>	
For Case Numbers Ending:		All Cases:	325/677-6311
G	214/753-2179		
R	214/753-2176		
D	214/753-2180		
P	214/753-2183		
L	214/753-2181		
K	214/753-2199 (even)		
K	214/753-2183 (odd)		
M	214/753-2182		
N	214/753-2199		
H	214/753-2177		
Other judges			
Dallas cases only			
	214/753-2184		

Appendix I, continued

Fort Worth Division

For Case Numbers Ending:

A	817/850-6611
Y	817/850-6614
E	817/850-6613

Other judges
Fort Worth cases only 817/850-6611

Lubbock Division

All Cases: 806/472-7624

San Angelo Division

All Cases: 325/655-4506

Wichita Falls Division

All Cases: 940/767-1902

Appendix I, *continued*

C. Summons in a Civil Action

Appendix I, *continued*

Appendix I, *continued*

D. Civil Cover Sheet

Appendix I, *continued*

Appendix II: Table of Divisions

The following table sets forth the official number and name of each Division of the Northern District of Texas, the counties that each Division encompasses, and the name, mailing address, and telephone number of the Clerk, the District Judges, the Magistrate, and the Bankruptcy Judges for each Division.

1. Abilene Division

Comprises the counties of Callahan, Eastland, Fisher, Haskell, Howard, Jones, Mitchell, Nolan, Shackelford, Stephens, Stonewall, Taylor, and Throckmorton.

Ms. Marsha **ELLIOTT**, Deputy-in-Charge 325/677-6311
341 Pine Street, Room 2008
Abilene, Texas 79601-5928

Judge Sam R. **CUMMINGS** 806/472-7459
1205 Texas Ave., Room C-210
Lubbock, Texas 79401-4002

Magistrate Judge Philip R. **LANE** 325/676-4582
341 Pine Street, Room 2202
Abilene, Texas 79601

Bankruptcy Judge Robert L. **JONES** 806/472-5020
1205 Texas Avenue
Lubbock, Texas 79401

2. Amarillo Division

Comprises the counties of Armstrong, Brisco, Carson, Castro, Childress, Collingsworth, Dallam, Deaf Smith, Donley, Gray, Hall, Hansford, Hartley, Hemphill, Hutchinson, Lipscomb, Moore, Ochiltree, Oldham, Parmer, Potter, Randall, Roberts, Sherman, Swisher, and Wheeler.

Ms. Lynn **SHERMAN**, Divisional Manager 806/324-2352
205 E. Fifth Street, Room 133
Amarillo, Texas 79101-1559

Appendix II, *continued*

Judge Mary Lou **ROBINSON** 806/324-2355
205 E. Fifth Street, Room 226
Amarillo, Texas 79189-1559

Magistrate Judge Clinton E. **AVERITTE** 806/324-2335
205 E. Fifth Street, Room 326
Amarillo, Texas 79189-1559

Bankruptcy Judge Robert L. **JONES** 806/324-5020
624 S. Polk Street
Amarillo, Texas 79101

3. **Dallas Division**

Comprises the counties of Dallas, Ellis, Hunt, Johnson, Kaufman, Navarro, and Rockwall.

Ms. Karen **MITCHELL**, Clerk of Court for recorded information: 214/753-2200
1100 Commerce Street, Room 1452 for assistance: 214/753-2201
Dallas, Texas 75242-1495

Chief Judge A. Joe **FISH** 214/753-2310
1100 Commerce Street, Room 1528
Dallas, Texas 75242-1597

Judge Jerry **BUCHMEYER** 214/753-2295
1100 Commerce Street, Room 1544
Dallas, Texas 75242-1598

Judge Sidney A. **FITZWATER** 214/753-2333
1100 Commerce Street, Room 1520
Dallas, Texas 75242-9970

Judge Jorge A. **SOLIS** 214/753-2342
1100 Commerce Street, Room 1654
Dallas, Texas 75242

Judge Sam A. **LINDSAY** 214/753-2365
1100 Commerce Street, Room 1312
Dallas, Texas 75242

Appendix II, continued

Judge Barbara M.G. LYNN	214/753-2420
1100 Commerce Street, Room 1572	
Dallas, Texas 75242	
Judge David C. GODBEY	214/753-2700
1100 Commerce Street, Room 1358	
Dallas, Texas 75242	
Judge Ed KINKEADE	214/753-2720
1100 Commerce Street, Room 1625	
Dallas, Texas 75242	
Senior Judge Barefoot SANDERS	214/753-2375
1100 Commerce Street, Room 1504	
Dallas, Texas 75242	
Magistrate Judge Wm. F. SANDERSON, Jr.	214/753-2385
1100 Commerce Street, Room 1376	
Dallas, Texas 75242	
Magistrate Judge Jeff KAPLAN	214/753-2400
1100 Commerce Street, Room 1611	
Dallas, Texas 75242	
Magistrate Judge Paul D. STICKNEY	214/753-2410
1100 Commerce Street, Room 1549	
Dallas, Texas 75242	
Magistrate Judge Irma C. RAMIREZ	214/753-2393
1100 Commerce Street, Room 1567	
Dallas, Texas 75242	
Chief Bankruptcy Judge Steven A. FELSENTHAL	214/753-2040
1100 Commerce Street, Room 1421	
Dallas, Texas 75242	
Bankruptcy Judge Barbara J. HOUSER	214/753-2055
1100 Commerce Street, Room 1421	
Dallas, Texas 75242	
Bankruptcy Judge Harlin D. HALE	214/753-2016
1100 Commerce Street, Room 1421	
Dallas, Texas 75242	

Appendix II, continued

Bankruptcy Judge Harold C. **ABRAMSON** 214/753-2110
1100 Commerce Street, Room 1238
Dallas, Texas 75242

4. Fort Worth Division

Comprises the counties of Comanche, Erath, Hood, Jack, Palo Pinto, Parker, Tarrant, and Wise.

Ms. Pam **MURPHY**, Manager 817/850-6601
501 West 10th Street, Room 310
Fort Worth, Texas 76102

Judge John H. **McBRYDE** 817/850-6650
501 West 10th Street, Room 401
Fort Worth, Texas 76102

Judge Terry R. **MEANS** 817/850-6670
501 West 10th Street, Room 201
Fort Worth, Texas 76102

Magistrate Judge Charles **BLEIL** 817/850-6690
501 West 10th Street, Room 520
Fort Worth, Texas 76102

Bankruptcy Judge Michael **LYNN** 817/333-6021
501 West 10th Street
Fort Worth, Texas 76102

Appendix II, *continued*

5. Lubbock Division

Comprises the counties of Bailey, Borden, Cochran, Crosby, Dawson, Dickens, Floyd, Gaines, Garza, Hale, Hockley, Kent, Lamb, Lubbock, Lynn, Motley, Scurry, Terry, and Yoakum.

Ms. Kristy **WEINHEIMER**, Deputy-in-Charge 806/472-7624
1205 Texas Avenue, Room C-209
Lubbock, Texas 79401

Judge Sam R. **CUMMINGS** 806/472-7459
1205 Texas Avenue, Room C-210
Lubbock, Texas 79401

Magistrate Judge Nancy **KOENIG**. 806/472-7380
1205 Texas Avenue, Room 211
Lubbock, Texas 79401

Bankruptcy Judge Robert L. **JONES** 806/472-5020
1205 Texas Avenue
Lubbock, Texas 79401

6. San Angelo Division

Comprises the counties of Brown, Coke, Coleman, Concho, Crocket, Glasscock, Irion, Menard, Mills, Reagan, Runnels, Schleicher, Sterling, Sutton, and Tom Green.

Ms. Beverly **ROPER**, Deputy-in-Charge 325/655-4506
33 E. Twohig Street, Room 202
San Angelo, Texas 79603

Judge Sam R. **CUMMINGS** 806/472-7459
1205 Texas Ave., Room C-210
Lubbock, Texas 79401

Magistrate Judge Phil **LANE**. 325/676-4582
341 Pine Street, Room 2202
San Angelo, Texas 76901

Appendix II, continued

Bankruptcy Judge Robert L. **JONES** 806/743-5020
1205 Texas Avenue, Rm C-110
Lubbock, Texas 79401

7. Wichita Falls Division

Comprises the counties of Archer, Baylor, Clay, Cottle, Foard, Hardeman, King, Knox, Montague, Wichita, Wilbarger, and Young.

Ms. Allison **TERRY**, Deputy-in-Charge 940/767-1902
1000 Lamar Street, Room 203
Wichita Falls, Texas 76301

Judge Jerry **BUCHMEYER** 214/753-2295
1100 Commerce Street, Rm. 1544
Dallas, Texas 75242

Magistrate Judge Robert Kerry **ROACH*** 940/322-7856
912 First Republic Bank Building
Wichita Falls, Texas 76301-2268

Bankruptcy Judge Michael **LYNN** 817/333-6021
501 West 10th Street, Room 206
Fort Worth, Texas 76102

* Part-time Magistrate Judge

Appendix III: Index of Miscellaneous Orders*

1. Order Establishing the Procedure for Issuance of Orders for Entry on Premises to Effect Levy by Internal Revenue Service [*Adopted 9-26-77, Amended 2-16-79*].
2. Standing Order on Probation Conditions [*Adopted 8-28-64*].
3. Order Adopting the Plan for Representation of Defendants Under the Criminal Justice Act of 1964 [*Adopted 8-20-65, Amended 12-30-93*].
4. Standing Order Establishing Reporters' Rates for Transcripts [*Adopted 11-7-66, Amended 10-24-86*] [See LR 80.1 and LCrR 57.6].
5. Order Relating to the Selection of Grand and Petit Jurors in the Northern District of Texas [*Adopted 9-13-68, Amended 3-16-93*].
6. Order for the Adoption of Rules for the Exercise of Powers and Performance of Duties by United States Magistrates [*Adopted 1-20-71, Amended 12-21-93*] [See Appendix V].
7. Order Relating to the Disposition of Minor Offenses [*Adopted 3-15-71, Amended 5-5-93*] [See LCrR 58.1].
8. Order Adopting the Plan for Achieving Prompt Disposition of Criminal Cases [*Adopted 3-6-73, Amended 6-23-80*].
9. Order on Payment of Fees for Attorneys Appointed Under the Criminal Justice Act of 1964 [*Adopted 3-26-73, Amended 4-14-87*].
10. Order Requiring Civil Cover Sheet for All Cases Filed as Civil Actions [*Adopted 8-15-73*] [See LR 3.1 and Appendix I-D].
11. Standing Orders Relating to Bankruptcy Matters [*Adopted 7-28-75, Amended 9-30-79*] [Historical Only].
12. Order Providing for the Fixing of Conditions of Release [*Adopted 2-27-76*] [Historical Only].
13. Order Establishing Procedures for Handling Petitions and/or Motions for Post Conviction Relief Under 28 U.S.C. 2254 and 2255 [*Adopted 3-18-77*] [See LR 5.4].
14. Order Establishing Procedure for Handling Prisoner Civil Rights Actions [*Adopted 12-16-77*] [See LR 5.3].
15. Order Governing Applications to Proceed *In Forma Pauperis* [*Adopted 12-16-77*] [See LR 83.6].

* Dates of amendments reflect most recent amendment for each miscellaneous order.

Appendix III, continued

16. Order Establishing Procedure for Admission to Practice in the United States District Court for the Northern District of Texas [*Adopted 12-16-77, Amended 4-27-93*] [See LR 83.7 and LCrR 57.7].
17. Order Adopting Local Rules of Practice [*Adopted 12-16-77, Amended 7-1-85*] [Now Special Order 2-1].
18. Order Establishing Special Miscellaneous Order Files and Repealing Previously Existing Local Rules and Miscellaneous Orders [*Adopted 12-16-77*] [Now Special Order 1-2] [See LR 83.2 and LCrR 57.2].
19. Order Sealing All Notifications of Disclosure of Grand Jury Material Pursuant to Rule 6(e)(2)(A)(ii) and Rule 6(e)(2)(B), Federal Rules of Criminal Procedure [*Adopted 12-5-77*] [Now Special Order 5-1].
20. Order Establishing the Procedure for Service of Civil Process and Central Violation Summons [*Adopted 3-2-78, Repealed by Miscellaneous Order No. 30 4-1-81*] [Historical Only].
21. Order Concerning Civil Jury Composition [*Adopted 4-7-78, Amended 5-29-80*] [Historical Only] [Not adopted as a Local Rule].
22. Order Concerning the Creation of Three New District Judgeships in the Northern District of Texas and the Orderly Assignment of Cases Pending on the Docket [*Adopted 10-27-78, Amended 5-13-82*] [Now Special Order 3-1].
23. Order Establishing the Procedure for Issuance of Inspection Warrants for Entry on Premises by Compliance Officers of the Occupational Safety and Health Administration, U.S. Department of Labor [*Adopted 12-4-78*].
24. Order Adopting the Model Federal Rules of Disciplinary Enforcement [*Adopted 12-7-78, Repealed 3-25-87*] [See LR 83.8 and LCrR 57.8].
25. Order Establishing Simplified Procedures for the United States of America to Take Money Judgment by Default [*Adopted 4-3-79*] [See LR 55.2].
26. Order Regarding Petition for Disclosure of Presentence or Probation Records [*Adopted 6-18-79, Amended 6-1-90*].
27. Order Amending Rule 11.3 of the Local Rules of Practice Before the United States District Court for the Northern District of Texas [*Adopted 7-9-80*] [Historical Only] [See LR 79.2 and LCrR 55.2].
28. Order Adopting Affirmative Action Plan for the United States District Court for the Northern District of Texas [*Adopted 7-11-80, Amended 5-18-93*] [Now Special Order No. 17].

Appendix III, continued

29. Order Amending Local Rules 2.2 and 6.1(b) [*Adopted 10-24-80, Amended 6-24-83*] [Historical Only] [See LR 5.2].
30. Order Establishing Procedures for Service of Civil Process--Repealing Miscellaneous Order No. 20 [*Adopted 4-1-81, Amended 7-28-81*] [Historical Only].
31. Order Relating to Persons Detained/Incarcerated for Attendance at Criminal Trial as Witness [*Adopted 4-15-81*].
32. Order Establishing Procedures Following Appeal in Criminal Cases [*Adopted 10-21-81*].
33. Order Pertaining to Bankruptcy Judges Authority [*Adopted 10-4-82, Amended 12-19-84*].
34. Order Adopting the Plan for the Management of Court Reporting for the Northern District of Texas [*Adopted 2-1-83, Amended 7-21-92*].
35. Order Exempting Cases From Schedule and Planning Mandates of Rule 16(b), Federal Rules of Civil Procedure [*Adopted 9-16-83, Amended 1-16-84*] [See LR 16.1].
36. Order Establishing Procedures for Seeking Stay of Enforcement of State Court Judgment or Order [*Adopted 12-5-83*].
37. Order Amending Local Rule 5.1(e) Responding to Motions, Time for Responses, Provision for Reply; New Local Rule 8.1(c) Designation of Expert Witnesses; New Local Rule 12.2 Request for Attorney's Fees [*Adopted 1-16-84*] [Historical Only] [See LR 7.1, LR 26.2, LCrR 16.1, and LCrR 47.1].
38. Order Concerning the Requirement and Need for United States Marshals in All Criminal Proceedings in the Northern District of Texas [*Adopted 12-17-84*] [Now Special Order 6-1].
39. Order Pertaining to Interim Appointment of United States Attorney for the Northern District of Texas [*Adopted 6-17-85*] [Historical Only].
40. Order Pertaining to Firearms Policy for the United States Probation Office, Northern District of Texas [*Adopted 12-16-85, Amended 2/21/97*] [Now Special Order 7-1].
41. Order Pertaining to Clerk Accepting and Disbursing All Restitution Payments Other Than Those Payable to the United States, for Offenses Committed On or After January 1, 1985 [*Adopted 1-27-86*] [Now Special Order 10-1].
42. Order Pertaining to the Schedule Adopted for the Supervision of Grand Jury Proceedings by the United States District Judges of the Dallas Division of the Northern District of Texas [*Adopted 4-14-86, Amended 1-26-87*] [Now Special Order 5-2].
43. Order Pertaining to the Criminal Docket in the Dallas Division and the Assignment of Cases on Such Docket To Include the Name of the Honorable Sidney A. Fitzwater [*Adopted 4-17-86*] [Now Special Order 3-2].

Appendix III, continued

44. Order Establishing Length of Briefs and Requiring Table of Contents and Table of Authorities in Briefs Which Exceed Ten Pages in Length [*Adopted 12-23-88*] [See LR 7.2 and LCrR 47.2].
45. Order Regarding Deposit in Court Pursuant to Rule 67 of the Civil Rules [*Adopted 6-23-89, Amended 11-15-96*].
46. Civil Justice Expense and Delay Reduction Plan [*Adopted 3-22-93*].
47. Order Adopting Rules Governing Practice Before this Court by Law Students and Unlicensed Law Graduates [*Adopted 10-27-93*].
48. Order Enforcing Sanctions Imposed by Another Federal Court in Texas [*Adopted 11-16-93*].
49. Order Regarding Matters Pertaining to Court Interpreters [*Adopted 8-16-93, Amended 8-30-93*].
50. Order Closing Abilene Courtroom for Renovations [*Adopted 4-18-95*].
51. Order Providing for Disposition of Passports Surrendered [*Adopted 1-9-96*].
52. Order for Probation Form 12 Procedures [*Adopted 7-9-96*].
53. Amendment to Special Order No. 7-27 Firearms Policy for U.S. Probation Office [*Adopted 8-16-96*].
54. Approval of Oleoresin Capsicum (OC) a Personal Defense Spray for Duty for use by U.S. Probation and Pretrial Officers in the Northern District of Texas [*Adopted 11-4-96*].
55. Prisoner In Forma Pauperis Proceedings [*Adopted 2/26/97*].
56. Petition for Actions on Conditions of Pretrial release and Order for Warrant Shall be Presented to the Court in Envelope Marked “SEALED” [*Adopted 2/18/97*].
57. Order Establishing Disclosure of Information to State/Local Authorities for Sex Offender Registration/Notification.
58. Order Requiring Counsel to Notify the Presiding Judge of Any Proposed Change to Scheduled Arraignment or Rearraignment in the Dallas Division.
59. Order allowing probation officers to transport non-governmental personnel in GSA vehicles and persons under supervision in officers’ privately owned vehicles where circumstances justify doing so.
60. Order authorizing Probation and Pretrial Services offices to establish and operate an on-site drug testing laboratory to better serve the court, defendants, and offenders in the Northern District of Texas.
61. Order adopting procedures to control electronic case filing (ECF) in the Northern District of Texas as defined in this order and in the clerk’s office ECF User’s Manual.

Appendix IV: Index of Special Orders

Special Order No. 1:	Order regarding Special Orders and Miscellaneous Orders. [<i>Includes Miscellaneous No. 18</i>]
Special Order No. 2:	Order regarding Local Rules and rule changes. [<i>Includes Miscellaneous No. 17</i>]
Special Order No. 3:	Order regarding Judgeships, case assignments. [<i>Includes Miscellaneous Nos. 22 and 43</i>]
Special Order No. 4:	Order regarding Bankruptcy administration.
Special Order No. 5:	Order regarding grand juries. [<i>Including Miscellaneous Nos. 19 and 42; includes Old Miscellaneous Nos. 1251A and 1860</i>]
Special Order No. 6:	Order regarding Court security. [<i>Includes Miscellaneous No. 38</i>]
Special Order No. 7:	Order regarding Probation Officers and that department. [<i>Includes Miscellaneous No. 40; includes Old Miscellaneous No. 849</i>]
Special Order No. 8:	Order regarding Pretrial Officers and that department. [<i>Includes Old Miscellaneous No. 971</i>]
Special Order No. 9:	Order regarding Special Attorneys and their appointment. [<i>Includes Appointment of Special Attorneys</i>]
Special Order No. 10:	Order regarding Court finance. [<i>Includes Miscellaneous No. 41</i>]
Special Order No. 11:	Order regarding naturalization. [<i>Includes Old Miscellaneous No. 1073</i>]
Special Order No. 12:	Order regarding imposition of sentences under the Sentencing Guidelines.
Special Order No. 13:	Order regarding the operation of the U.S. District Court.
Special Order No. 14:	Order regarding Pretrial Services and That Department.
Special Order No. 15:	Order regarding Designation and Assignment of Judges for Service in the U.S. District Court for the Northern District of Texas.
Special Order No. 16:	Order regarding Service on the United States pursuant to FED. R. CIV. P. 4(i)(1)(A).
Special Order No. 17:	Order regarding Equal Employment Opportunity and Employment Dispute Resolution Plan.
Special Order No. 18:	Order appointing Clerk of Court/District Executive.

Appendix V: Excerpts From Miscellaneous Order No. 6

Rule 1

Powers and Duties of Magistrates under 28 U.S.C. § 636(a)

All United States magistrates serving within the territorial jurisdiction of the Northern District of Texas shall have the power and duty to:

- (a) Process criminal complaints and issue appropriate warrants or summons.
- (b) Issue search warrants.
- (c) Conduct initial appearances.
- (d) Impose conditions of release and admit persons to bail.
- ...
- (p) Upon the consent of the defendant, conduct trial of persons accused of, and sentence persons convicted of misdemeanor offenses, including petty offenses (a misdemeanor, the penalty for which does not exceed imprisonment for a period of six months or a fine of not more than \$500.00, or both) pursuant to 18 U.S.C. 3401. . .

Rule 2

Additional Powers and Duties of Magistrates under 28 U.S.C. § 636(b)

Upon entry of an order of reference by a District Judge, or when required to do so under the provisions of a local rule or general order of this Court, a magistrate may perform any of the following additional duties,. . .

(a) Criminal Proceedings.

- (1) General supervision of the criminal calendar, including calendar calls and motions to expedite or postpone the trial of the case.
- (2) Conduct of post indictment and post information arraignments, acceptance of not guilty pleas, and the ordering of a presentence report on a defendant who signifies the desire to plead guilty.
- (3) Conduct of pretrial conferences, omnibus hearings, and related proceedings.

(b) Prisoner Petitions

- (1) Review of petitions of state prisoners seeking post conviction relief from state custody under 28 U.S.C. 2254 and other petitions of state prisoners seeking to attack the fact or duration of their state confinement....

- (2) Review of motions of federal prisoners for vacation of sentence under 28 U.S.C. 2255, and review of other petitions of federal prisoners for relief from custody. . .
- (3) The review of civil suits by prisoners for deprivation of civil rights arising out of conditions of confinement under 42 U.S.C. 1983 and related statutes...

(c) Civil Proceedings.

- (1) General supervision of the civil calendar, including the handling of calendar calls and motions to expedite or postpone the trial of cases.
- (2) Conduct of preliminary and final pretrial conferences, status calls and settlement conferences, and the formulation of preparation of pretrial orders.
- (3) Hearing and determining pretrial procedural and discovery motions and any other motion or pretrial matter which is not specifically enumerated as an exception to 28 U.S.C. 636(b)(1)(A).
- (4) The review of motions:
 - (A) for injunctive relief,
 - (B) to dismiss for failure to state a claim upon which relief may be granted,
 - (C) to involuntarily dismiss an action,
 - (D) to vacate or set aside default judgments,
 - (E) to dismiss or permit the maintenance of a class action,
 - (F) for judgment on the pleadings, or
 - (G) for summary judgment

including the conduct of all necessary evidentiary and other hearings or oral arguments thereon, and the submission of reports and recommendations to the District Judge assigned to the case.

- (5) All the duties of a District Judge prescribed by Fed. R. Civ. P. 16.

(d) Special Master References.

- (1) Serving as a special master in accordance with Rule 53, Federal Rules of Civil Procedure: hearing testimony and submitting a report and findings on complicated issues in jury cases or in matters of account, difficult computation of damages and exceptional conditions in nonjury cases.
...
- (3) Serving as a special master in any matter with the consent of the parties.
...

Appendix V, continued

- (5) Conducting evidentiary hearings and preparing findings in employment discrimination cases under Title VII of the Civil Rights Act of 1964 whenever a judge has not scheduled a case for trial within 120 days after issue has been joined and upon reference to the magistrate by a District Judge.

(e) Administrative Proceedings.

- (1) Reviewing the record of administrative proceedings in suits for judicial review of final decisions of administrative agencies and submitting to the district judge to whom the case is assigned a report and recommendations as to (a) whether there are any defects in the agency proceedings which rise to the level of a deprivation of due process or a violation of a statute or regulations, (b) whether there should be a remand to the agency for additional factual determinations to complete the record, and (c) whether there is substantial evidence in the record to support the ultimate decision of the agency.

(f) Miscellaneous Duties.

...

- (8) Administer the Court's Criminal Justice Act Plan, including maintenance of a list of eligible attorneys, appoint attorneys and approve vouchers for compensation and expenses.
- (9) Any other duties assigned by the Court, or any Judge thereof, which are not inconsistent with the Constitution and laws of the United States.

Rule 3

**Conduct of Trials and Dispositions of Civil Cases Upon
Consent of the Parties -- 28 U.S.C. § 636(c)**

Upon the consent of the parties and the approval and referral of the district judge to whom the case is assigned, a full-time magistrate. . . may conduct any or all proceedings in any civil case which is filed in this court, *including the conduct of a jury or nonjury trial*, and may order the entry of a final judgment, in accordance with 28 U.S.C. § 636(c). In the course of conducting such proceedings a magistrate may hear and determine any and all pretrial and post-trial motions which are filed by the parties, including case-dispositive motions.

(a) In general

In the course of conducting proceedings in accordance with 28 U.S.C. 636(c) a magistrate shall conform to all applicable provisions of federal statutes and rules, and to the general procedural rules of this court.

Appendix V, continued

(b) Special provisions for the disposition of cases

(1) Notice.

The clerk of court shall notify the parties in all civil cases that they may consent to a magistrate conduct any or all proceedings in the case and order the entry of final judgment. . .

. . .

Rule 4

**Review of Magistrate Judge Orders and Recommendations and Appeals
to District Judge of Civil Cases Tried by Consent.**

(a) Nondispositive Matters.

Review of an order entered by a magistrate judge in a pretrial matter not dispositive of a claim or defense of a party shall be governed by Fed. R. Civ. P. 72(a). The district judge to whom the case is assigned may prescribe supplemental procedures for considering timely objections.

(b) Dispositive Motions and Prisoner Petitions.

A magistrate judge assigned without consent of the parties to hear a pretrial matter dispositive of a claim or defense of a party or a prisoner petition challenging the conditions of confinement shall enter a recommendation in accordance with Fed. R. Civ. P. 72(b). A party objecting to the recommended disposition, and a party who desires to respond to another party's objections, shall comply with Fed. R. Civ. P. 72(b). The district judge to whom the case is assigned may prescribe supplemental procedures for considering timely objections.

(c) Special Master Reports.

Objections to a magistrate judge report filed pursuant to Fed. R. Civ. P. 53(e)(2) shall be filed in accordance with that Rule. The district judge to whom the case is assigned may prescribe supplemental procedures for considering timely objections.